

**AGENDA - COUNCIL MEETING - TUESDAY - AUGUST 8, 2006 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**  
with notes of action taken

MOTIONS 2006-0699 to 2006-0715  
ORDINANCES – 2006-0817 to 2006-0829  
RESOLUTION – None

2006-0698-1

**PRAYER AND PLEDGE OF ALLEGIANCE** - Council Member Johnson

**1:30 P. M. - ROLL CALL**

**ADOPT MINUTES OF PREVIOUS MEETING**

**2:00 P. M. - PUBLIC SPEAKERS** - Pursuant to City Council Rule 8, City Council will hear from members of the public; the names and subject matters of persons who had requested to speak at the time of posting of this Agenda are attached; the names and subject matters of persons who subsequently request to speak may be obtained in the City Secretary's Office

**5:00 P. M. - RECESS**

**RECONVENE**

**WEDNESDAY - AUGUST 9, 2006 - 9:00 A. M.**

DESCRIPTIONS OR CAPTIONS OF AGENDA ITEMS WILL BE READ BY THE  
CITY SECRETARY PRIOR TO COMMENCEMENT

**MAYOR'S REPORT**

**CONSENT AGENDA NUMBERS 1 through 27**

**MISCELLANEOUS** - NUMBERS 1 through 3

**1. Motion 2006-0699**

REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **HOUSTON DOWNTOWN MANAGEMENT DISTRICT BOARD OF DIRECTORS**:

- Position One - **MR. TRAVIS M. OVERALL**, appointment, for a term to expire 6/1/2008
- Position Two - **MR. SHAN SIDDIQUI**, reappointment, for a term to expire 6/1/2008
- Position Three - **MR. OSCAR CHARLES GREENLEAF**, reappointment, for a term to expire 6/1/2008
- Position Four - **MR. JAMES J. SMITH**, reappointment, for a term to expire 6/1/2008
- Position Five - **MS. LESLIE GARCIA ASHBY**, reappointment, for a term to expire 6/1/2008
- Position Six - **MS. VALERIE MARSHALL WILLIAMS**, reappointment, for a term to expire 6/1/2008
- Position Seven - **MR. STEWART O. ROBINSON**, reappointment, for a term to expire 6/1/2008
- Position Nine - **MS. SHARON MICHAEL OWENS**, reappointment, for a term to expire 6/1/2009
- Position Ten - **MR. GEORGE Y. GONZALEZ**, appointment, for a term to expire 6/1/2009
- Position Eleven - **MR. GILBERT ANDREW GARCIA**, reappointment, for a term to expire 6/1/2009
- Position Twelve - **MR. H. MILTON HOWE**, appointment, for a term to expire 6/1/2009
- Position Thirteen - **MR. ERNIE M. FLOHR**, reappointment, for a term to expire 6/1/2009
- Position Fourteen - **MR. PAUL H. LAYNE**, reappointment, for a term to expire 6/1/2009
- Position Fifteen - **MR. GREGORY A. BROTHERS**, reappointment, for a term to expire 6/1/2009
- Position Twenty - **MS. JACQUELINE CURLEY TRAYWICK**, appointment, for a term to expire 6/1/2010
- Position Twenty-Four - **MR. ROBERT (BOB) L. BRADFORD**, reappointment, for a term to expire 6/1/2007
- Position Twenty-Five - **MS. IRMA G. GALVAN**, reappointment, for a term to expire 6/1/2007
- Position Twenty-Six - **MS. JERI A. BALLARD**, reappointment, for a term to expire 6/1/2007
- Position Twenty-Seven - **MR. GARY L. MARKS**, reappointment, for a term to expire 6/1/2007
- Position Twenty-Eight - **MR. THOMAS (J.T.) CHENG**, appointment, for a term to expire 6/1/2007
- Position Twenty-Nine - **MS. PATRICIA B. LODEN**, appointment, for a term to expire 6/1/2007
- Position Thirty - **MR. FRANK G. STAATS**, appointment, for a term to expire 6/1/2007

**2. Motion 2006-0700**

REQUEST from Mayor for confirmation of the appointment of **MR. ALFRED H. BENNETT**, to Position 5 of the **BOARD OF DIRECTORS OF THE HOUSTON REINVESTMENT ZONE NUMBER SEVEN** also known as the **OLD SPANISH TRAIL/ALMEDA CORRIDORS ZONE**, for a term to expire May 6, 2007

**a. Motion 2006-0701**

REQUEST from Mayor for confirmation of the appointment of **MR. ALFRED H. BENNETT**, to Position 5 of the **BOARD OF DIRECTORS OF THE OLD SPANISH TRAIL/ALMEDA CORRIDORS REDEVELOPMENT AUTHORITY**, for a term to expire May 6, 2007

**3. Council Member Wiseman tagged**

RECOMMENDATION from Director Department Public Works & Engineering to accept the July 2006 Semiannual Report and Recommendations of the Planning Commission, acting as the Capital Improvements Advisory Committee, relating to the implementation of the Water and Wastewater Impact Fees Program and to transfer revenues and interest generated by the Water and Wastewater Impact Fees in the amount of \$9,188,163.69 to Revenue Bond Debt Service as recommended in the Report

**ACCEPT WORK** - NUMBER 4

**4. Motion 2006-0702**

RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$46,209,290.24 and acceptance of work on contract with **W. W. WEBBER, LLC (previously known as CHAMPAGNE-WEBBER INC, TEXAS)** for 8L-26R Connector Taxiways, Bridges and Off-Site Drainage at George Bush Intercontinental Airport/Houston, Project 522G, CIP A-0304, A-0058 - 00.99% under the original contract amount - **DISTRICT B - JOHNSON**

**PROPERTY** - NUMBER 5

**5. Motion 2006-0715**

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Danny and Betty Hengst, for encroachment agreement for a ±9-square-foot building encroachment into Watonga Boulevard, located at 4409 Libbey Lane, adjacent to Lot 19, Block 23, Oak Forest Section 15 subdivision, out of the Samuel McClelland and David Henson Surveys, Parcel ENY7-001 - **DISTRICT A - LAWRENCE**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 6 through 14

**6. Motion 2006-0710**

**FLOYD THOMAS, LLC** for BMC Software Licenses through the City's Master Agreement with the Texas Department of Information Resources (DIR) for Texas CISV Master Catalog Purchases under Chapter 2157 of the Government Code for Houston Airport System - \$169,923.75 Enterprise Fund

**7. Motion 2006-0703**

**BAGLEY'S FLOOR SERVICES, LTD.** for Ceramic Tile Installation Services from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Building Services Department - \$40,911.55 and contingencies for a total amount not to exceed \$42,957.13 - In-House Renovation Revolving Fund

**8. Ordinance 2006-0817**

ORDINANCE appropriating \$18,000.00 out of Parks Consolidated Construction Fund for Asbestos Abatement and Mold Remediation at the Godwin Park Multi-Purpose Room for the Parks & Recreation Department, CIP F-0509

**a. Motion 2006-0704**

**AAR, INCORPORATED** for Emergency Purchase of Asbestos Abatement and Mold Remediation Services at the Godwin Park Multi-Purpose Room for Building Services Department

**9. Motion 2006-0705**

**NATIONAL ELECTRICAL SYSTEMS, INC** for Trailer-mounted Generators for Building Services Department - \$419,271.00 - Grant Fund

**10. Motion 2006-0706**

**BECKMAN COULTER, INC** - \$536,700.00 and **BIO-RAD LABORATORIES, INC** - \$745,272.40 for Medical, Diagnostic and Virological Test Kits for Health & Human Services Department General Fund

**PURCHASING AND TABULATION OF BIDS** - continued

**11. Motion 2006-0707**

**WILLIS DEMOLISHING COMPANY** for Asbestos Abatement, Demolition and Site Clean-up Services for the Police Department - \$29,800.00 and contingencies for a total amount not to exceed \$31,290.00 - Dangerous Building Fund

**12. Motion 2006-0708**

**AMEND MOTION #2003-1044, 8/27/03, TO EXTEND** expiration date from August 26, 2006 to November 25, 2007 for Chemical Sodium Hypochlorite Contract for Department of Public Works & Engineering, awarded to **ALTIVIA CORPORATION**

**13. Motion 2006-0711**

**TOTER, INCORPORATED** for Automated Refuse Carts from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Solid Waste Management Department - \$109,900.12 Equipment Acquisition Consolidated Fund

**14. Motion 2006-0709**

**FIRE PROTECTION SERVICE, INC (Bid No. 2)** - \$176,551.41 and **H.M.T. SERVICES CORPORATION** - \$91,628.09 for Fire Extinguishers for Various Departments - \$273,652.55 minus a commission fee for Internet-based reverse auction services for a net award not to exceed \$268,179.50 - General, Fleet Management and Enterprise Funds

**ORDINANCES** - NUMBERS 15 through 27

**15. Council Members Wiseman, Holm, Sekula-Gibbs and Khan tagged**

ORDINANCE ordering a Regular Election to be held on November 7, 2006, for the purpose of submitting to the qualified electors of the City of Houston, Texas, a proposition amending the City Charter retaining certain limitations on property taxes and water and sewer rates, and making certain changes applicable to city revenues

**16. Ordinance 2006-0818**

ORDINANCE consenting to the addition of 7.9574 acres of land to **HARRIS COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 84**, for inclusion in its district

**17. Ordinance 2006-0819**

ORDINANCE authorizing the Mayor to accept an additional Federal Aviation Administration (FAA) Airport Improvement Program (AIP) Grant offer up to \$5,000,000.00 for Project 614, Taxiway "H" Pavement Rehabilitation at Ellington Field; declaring the city's eligibility for such grant - **DISTRICT E - WISEMAN**

**18. Ordinance 2006-0820**

ORDINANCE amending Ordinance No. 2002-0328, to approve and, subject to HUD approval, authorize the execution of certain loan modification documents for the restructuring of the City's Second Lien Section 108 Loan on the **MAGNOLIA HOTEL** and to approve the allocation of up to \$7,384,849 of additional EDI Grant Funds to protect the City's position on its Section 108 Notes; and to authorize the Mayor to negotiate with HUD for the allocation of additional EDI Grant Funds up to such amount and to execute a first amendment to the contract for Section 108 Loan Guarantee Assistance between the City and HUD relating to the project approving such modification of the loan to the borrower and such allocation of such additional EDI Grant Funds **DISTRICT I - ALVARADO**

**ORDINANCES** - continued

**19. Ordinance 2006-0821**

ORDINANCE amending Ordinance No. 1999-1186, to approve and, subject to HUD approval, authorize the execution of certain loan modification documents for the restructuring of the City's Second Lien Section 108 Loan on the **CROWNE PLAZA HOTEL (formerly the Whitehall Hotel)** and to approve the allocation of up to \$3,984,818 of additional EDI Grant Funds to protect the City's position on its Section 108 Notes; to authorize the Mayor to negotiate with HUD for the allocation of additional EDI Grant Funds up to such amount and to execute a first amendment to the contract for Section 108 Loan Guarantee Assistance between the City and HUD relating to the project approving such modification of the loan to the borrower and such allocation of such additional EDI Grant Funds; authorizing the Director to seek HUD's consent to an extension of the City's EDI Grant Agreement - **DISTRICT I - ALVARADO**

**20. Ordinance 2006-0829**

ORDINANCE approving and authorizing contract between the City of Houston and **COALITION FOR THE HOMELESS OF HOUSTON/HARRIS COUNTY** to provide a grant in an amount not to exceed \$193,415.00 in Community Development Block Grant Funds for the Operation of a Homeless Services Data Base and other Homeless related Information Services, which amount includes a limitation on additional funding in the amount of \$181,000.00 - 1 Year

**21. Council Member Sekula-Gibbs tagged**

ORDINANCE approving and authorizing contract between the City of Houston and **AKIN GUMP STRAUSS HAUER & FELD, LLP**, for Professional Legal Services; providing a maximum contract amount - \$200,000.00 - Property and Casualty Fund

**22. Ordinance 2006-0822**

ORDINANCE approving and authorizing contingency fee contract for Legal Services with **GILMAN AND PASTOR, L.L.P.** with regard to a claim against Beazer East, Inc., for the Roof of the Everett Collier Library - **DISTRICT A - LAWRENCE**

**23. Ordinance 2006-0823**

ORDINANCE approving and authorizing a lease agreement between **BNC SOUTH LOOP ASSOCIATES, L.P., A Delaware Limited Partnership, as Landlord ("Landlord")**, and the City of Houston, Texas, as tenant (the "City"), for approximately 6,204 net rentable square feet of office space at 2636 South Loop West, Houston, Harris County, Texas 77054, for forty-eight (48) months at a monthly rental of \$8,013.50, with a single payment of up to \$20,552.00 for tenant improvement costs, for use by the Sign Administration Group of Code Enforcement, Public Works and Engineering Department

**24. Not Received-Not Considered**

ORDINANCE appropriating \$303,201.91 out of Water & Sewer Consolidated Construction Fund and \$210,000.00 out of Affordable Housing Uptown Series 2004D Fund and approving and authorizing Developer Participation Contract between the City of Houston and **HOUSTON HABITAT FOR HUMANITY, INC** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Section One of the Umland Park Subdivision, WBS S-000800-00H3 & R-000800-00H3 **DISTRICT D - EDWARDS**

**25. Not Received-Not Considered**

ORDINANCE appropriating \$189,194.47 out of Water & Sewer Consolidated Construction Fund and \$106,740.96 out of TIRZ Affordable Housing Fund and approving and authorizing Developer Participation Contract between the City of Houston and **HOUSTON HABITAT FOR HUMANITY, INC** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Section Two of the Umland Park Subdivision, WBS S-000800-00H9& R-000800-00H9 - **DISTRICT D - EDWARDS**

**ORDINANCES** - continued

**26. Ordinance 2006-0824**

ORDINANCE approving and authorizing amendment to an Untreated Water Supply Contract between the City of Houston and **VALERO REFINING COMPANY - TEXAS, LP** - Revenue

**27. Ordinance 2006-0825**

ORDINANCE appropriating \$125,000.00 out of Public Library Consolidated Construction Fund and authorizing a for Professional Architectural Services Contract for Facility Assessment at ~~six branch libraries with~~ between the City of Houston and **NATALYE APPEL + ASSOCIATES ARCHITECTS, LLC**, for ADA Renovations (WBS E-000157-0001-3) ~~GFS E-0157-01-2~~ - **DISTRICTS A - LAWRENCE; B - JOHNSON; E - WISEMAN; G - HOLM and I - ALVARADO**

**END OF CONSENT AGENDA**

**CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA**

**NON CONSENT AGENDA** - NUMBERS 28 and 29

**PROPERTY**

**28. Motion 2006-0712**

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Reid C. Wilson of Wilson, Cribbs & Goren, P.C. on behalf of Jim R. Smith, for abandonment and sale of Look Road from Old Katy Road to Bunker Hill Road, out of Thomas A. Hoskins Survey, A-342, Parcel SY6-096 – (Sheila Stewart and John Chambliss, appointed – Patrick O'Connor, alternate) - **APPOINT TWO APPRAISERS and one ALTERNATE APPRAISER - DISTRICT A - LAWRENCE**

**Motion 2006-0713 – Divide question to consider SY6-107 and SY6-111 separately**

**29. Motion 2006-0714 – Adopt and appoint appraisers for SY6-104 and SY6-105**

RECOMMENDATION from Director Department of Public Works & Engineering that City Council declare surplus and authorize the sealed bid sale of the following properties:

Parcel SY6-104 - 3600 Block Beulah - **DISTRICT D – EDWARDS** – (Sheila Stewart/Jasmine Quinerly, appointed – Samuel Stewart, alternate)

Parcel SY6-107 - Oak Meadows at Howard - **DISTRICT E – WISEMAN** - Tagged

Parcel SY6-111 - 12949 Westella - **DISTRICT G – HOLM** - Tagged

Parcel SY6-105 - 522 Crosstimbers - **DISTRICT H – GARCIA** – (Michael Copland/Frank Flores, appointed – John Fox, alternate)

and authorize the City Secretary to advertise the properties for sealed bid sale to the highest bidder at the minimum appraised bid amount - **APPOINT TWO INDEPENDENT APPRAISERS and ONE ALTERNATE APPRAISER**

**MATTERS HELD** - NUMBERS 30 through 32

**30. Ordinance 2006-0826**

ORDINANCE **AMENDING THE CITY OF HOUSTON FIRE CODE** and **CHAPTER 20 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to use of propane in, on, or in conjunction with Mobile Food Units; containing findings and other provisions relating to the foregoing subject; declaring certain conduct to be unlawful and providing a penalty therefor; providing for severability; providing an effective date

**TAGGED BY COUNCIL MEMBERS WISEMAN, SEKULA-GIBBS and CLUTTERBUCK**

This was Item 17 on Agenda of August 2, 2006

**MATTERS HELD** - continued

**31. Ordinance 2006-0827**

ORDINANCE ordering a Regular Election to be held jointly on November 7, 2006, for the purpose of submitting to the qualified electors of the City of Houston, Texas, certain propositions for the issuance of Public Improvement Bonds for various purposes; designating the location of each polling place and the hours that the polls shall be open

**TAGGED BY COUNCIL MEMBERS ALVARADO and WISEMAN**

This was Item 18 on Agenda of August 2, 2006

**32. Ordinance 2006-0828**

ORDINANCE amending Ordinance No. 2005-405, which approved contract with **SAP PUBLIC SERVICES, INC** for an Enterprise Resource Planning System to increase the maximum contract amount - \$1,600,000.00 - Central Service Revolving Fund

**TAGGED BY COUNCIL MEMBERS SEKULA-GIBBS, KHAN and HOLM**

This was Item 39 on Agenda of August 2, 2006

**MATTERS TO BE PRESENTED BY COUNCIL MEMBERS** - Council Member Alvarado first

**ALL ORDINANCES ARE TO BE CONSIDERED ON AN EMERGENCY BASIS AND TO BE PASSED ON ONE READING UNLESS OTHERWISE NOTED, ARTICLE VII, SECTION 7, CITY CHARTER**

**NOTE** - WHENEVER ANY AGENDA ITEM, WHETHER OR NOT ON THE CONSENT AGENDA, IS NOT READY FOR COUNCIL ACTION AT THE TIME IT IS REACHED ON THE AGENDA, THAT ITEM SHALL BE PLACED AT THE END OF THE AGENDA FOR ACTION BY COUNCIL WHEN ALL OTHER AGENDA ITEMS HAVE BEEN CONSIDERED

CITY COUNCIL RESERVES THE RIGHT TO TAKE UP AGENDA ITEMS OUT OF THE ORDER IN WHICH THEY ARE POSTED IN THIS AGENDA. ALSO, AN ITEM THAT HAS BEEN TAGGED UNDER CITY COUNCIL RULE 4 (HOUSTON CITY CODE §2-2) OR DELAYED TO ANOTHER DAY MAY BE NEVERTHELESS CONSIDERED LATER AT THE SAME CITY COUNCIL MEETING

**8/8/2006 – Council Member Garcia absent on personal business**

**Council Member Sekula-Gibbs absent on City business**

**8/9/2006 – All Present**